

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-2521

In Re: JUDY KAY MISKELL,

Petitioner.

On Petition for Writ of Prohibition.
(3:12-cv-00052-GMG-DJJ)

No. 12-2549

JUDY KAY MISKELL,

Plaintiff - Appellant,

v.

CONRAD W. VARNER,

Defendant - Appellee.

Appeal from the United States District Court for the Northern
District of West Virginia, at Martinsburg. Gina M. Groh,
District Judge. (3:12-cv-00052-GMG-DJJ)

Submitted: February 21, 2013 Decided: February 27, 2013

Before AGEE and DAVIS, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

No. 12-2521 petition denied; No. 12-2549 affirmed by unpublished per curiam opinion.

Judy Kay Miskell, Petitioner/Appellant Pro Se. Melvin F. O'Brien, DICKIE, MCCAMEY & CHILCOTE, Wheeling, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Judy Kay Miskell appeals the district court's order denying her Rule 59 motion. Miskell has also petitioned for a writ of prohibition and filed a motion to stay. We have reviewed the record and find no reversible error. Accordingly, although we grant leave to proceed in forma pauperis, we affirm for the reasons stated by the district court, deny the petition for a writ of prohibition, and deny the motion to stay. Miskell v. Varner, No. 3:12-cv-00052-GMG-DJJ (N.D. W. Va. Dec. 12, 2012). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

No. 12-2521 PETITION DENIED
No. 12-2549 AFFIRMED